

Nominating as a candidate

Who can stand as a candidate?

You are eligible to stand for election to the ACT Legislative Assembly if you are:

- an Australian citizen, and
- 18 years old, and
- qualified to be an elector in the ACT (that is, you have lived in the ACT for at least one month).

How is a candidate nominated?

A nomination must be made on the approved form provided by Elections ACT and be given to the Electoral Commissioner within the nomination period. A nomination deposit must be paid at the same time as the nomination is given to the Commissioner.

To be correctly completed, a nomination form must be signed by the candidate(s) and:

- In the case of a party candidate, the form must be signed by the registered officer (or a deputy registered officer if one has been appointed) of the party; or
- In the case of a non-party candidate, the form must be signed by at least 20 electors who are on the electoral roll and entitled to vote for the electorate for which the candidate is standing.
- Each candidate must sign a statement on the nomination form to the effect that the candidate consents to the nomination and declares that he or she is eligible to be nominated.

When can candidates be nominated?

Nominations open on 13 September 2024 and **close at 12 noon on 24 September 2024.**

Candidates are advised to submit their nomination forms well before the close of nominations to allow time for any errors to be corrected before nominations are closed. If a person's nomination is submitted so close to the cut-off that an error that could otherwise be corrected cannot be, the person could miss out on being successfully nominated as a candidate.

Deposit

A deposit of \$250 must accompany each candidate's nomination. The preferred method of payment for the nomination fee is via EFTPOS funds transfer. Cash or banker's cheque are permissible. A personal cheque is not acceptable.



The deposit is returned to the person who paid the deposit, or someone else authorised in writing by the person (the nomination form provides a place to indicate whether the deposit is to be returned to the candidate, the returning officer or someone else), if:

- The candidate is elected; or
- At the time at which the candidate is excluded during the counting of preferences, the candidate's total votes equal or exceed 20% of the quota for the election; or
- The candidate is neither elected nor excluded during the counting of preferences and the candidate's total votes equal or exceed 20% of the quota for the election at any stage of the count.

How candidates' names appear on ballot papers

A candidate can specify on the nomination form how he or she wishes his or her name to appear on the ballot paper, subject to the following restrictions:

- The surname or family name of a candidate must be the same as the surname or family name under which he or she is enrolled or entitled to be enrolled.
- The given name of a candidate can be the same as any given name under which he or she is enrolled or entitled to be enrolled, or a commonly accepted variation of that name (including an abbreviation or truncation of that name or an alternative form of that name), or an initial for that name. A candidate may give more than one given name, but there is no obligation to do so. Nicknames cannot be used.
- A candidate's name must be written in the alphabet used for the English language.

Non-party candidates

A non-party candidate can choose to have the word "Independent" printed under his or her name on the ballot paper. The option to have the word "Independent" printed on the ballot paper is made on the nomination form.

Can a person be nominated more than once?

No. If, at the hour of nomination (12 noon on 25 September 2024) a person is nominated more than once to be a candidate in a particular electorate, or a person is nominated to be a candidate in more than one electorate, all nominations will be deemed as invalid, and the person will not be listed as a candidate.

Can a nomination be rejected?

Yes. The Electoral Commissioner will reject a nomination if a nomination form has not been correctly completed in accordance with the Electoral Act. A nomination will also be rejected if it is not accompanied by the required deposit or is received outside of the legislated nomination period. The Electoral Commissioner must also reject a nomination where, in the Commissioner's opinion, the name under which the candidate is nominated is obscene, is frivolous or has been assumed for a political purpose.

If a nomination is rejected, the Commissioner will give the person whose nomination is rejected a written notice setting out the reasons for the rejection. If nominations have not yet closed, a candidate whose nomination has been rejected may, in some circumstances, be renominated. If

this later nomination is in order, the candidate's nomination will be accepted. For this reason, it is advisable to submit all nominations before the last day for nominations to allow time for defective nominations to be corrected.

Can a nomination be withdrawn?

Yes. A nomination can be withdrawn up until the time nominations close (12 noon on 24 September 2024). After that time a nomination cannot be withdrawn.

Any person nominated to be a candidate may withdraw his or her consent to the nomination by giving the Electoral Commissioner a written notice of withdrawal. The registered officer of a party may also cancel a nomination made by the officer by giving the Electoral Commissioner a written notice of cancellation. An official notice for this purpose can be obtained from Elections ACT. If a nomination is withdrawn or cancelled, the deposit will be refunded.

Candidate statements

Candidates contesting the ACT election may, from the time of nomination, provide the Electoral Commissioner with information about the candidate, for publication on the Elections ACT website. Candidates or the registered officer of a political party may provide to the Commissioner:

- A photograph of the candidate;
- A statement about the candidate of not more than 500 words; and
- the contact details for the candidate which may include a link to a website used by the candidate for the purpose of the election.

The information will be published on the Elections ACT website as soon as practicable after the declaration of nominations and as soon as practicable after appropriate quality assurance processes have been completed to ensure the Commissioner is satisfied on reasonable grounds that the content is not obscene, defamatory, or otherwise unlawful. Only once, within 14 days after the publication of the candidate's information, may the information be revised by the candidate. The Electoral Commission would prefer that candidate statements and photographs are provided in a digital format.

How party groups and names will appear on the ballot paper

As soon as the names of the candidates have been announced, the Electoral Commissioner will conduct a random draw for the position of the groups of party candidates on the ballot paper and for the order of candidates in each column. This occurs at the same place as the announcement of the candidate names and is also open for anyone to observe.

The draw for position of groups of party candidates is conducted by a double randomisation method.

The draw for the order of the candidates in each column is a single randomisation method. This draw establishes the starting positions of candidates in each column.

Candidates' names in each column are printed in different orders on consecutive ballot papers (known as "Robson rotation") so that no candidate in a column has the advantage of appearing in the same position on every ballot paper.

Grouped party candidates

Where two or more candidates are nominated in the same electorate by a registered party, those candidates are grouped together on the ballot paper. Grouped party candidates will be identified on the ballot paper by the registered name or abbreviation of the party appearing at the top of the column. As well as their party name, grouped party candidates will also be identified on the ballot paper by a letter—the left-hand group labelled “A”, the next “B” and so on.

Non-party candidates

Non-party candidates are listed in an “ungrouped” column on the ballot paper. All ungrouped party and non-party candidates will be included in one or more “ungrouped” columns on the right-hand side of the ballot paper.

Ungrouped party candidates

Where only a single party candidate is nominated for a particular party in an electorate, that candidate will be included in an “ungrouped” column.

Ungrouped party candidates will be identified on the ballot paper by the registered name or abbreviation of the party.

Campaigning

Candidates can commence their campaign for election at any time. Candidates do not have to be formally nominated or have their nomination declared by the Electoral Commissioner before they start campaigning.

Campaigning can take a number of forms, including advertising in the press, on radio and television, through websites and social media platforms, through distribution of pamphlets, flyers and posters, emails, public relations exercises or meeting the public face to face.

How a candidate conducts their campaign is entirely up to the candidate (or the party they represent) within the confines of the law. However, there are legal requirements that must be met.

Most campaign material, other than advertisements on radio and television, must be authorised in compliance with the Electoral Act. Radio and television advertising is regulated separately by the Australian Communications and Media Authority (ACMA) under the Commonwealth’s *Broadcasting Services Act 1992* (Cth).

More information for candidates

For more information relevant to running as a candidate in ACT elections, read the Candidate Information Handbook available by contacting Elections ACT.